

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 1860 - SB 1890

February 21, 2022

SUMMARY OF BILL: Authorizes local education agencies (LEA) and public charter schools to allow teachers to use the results from benchmark assessments or a universal screener approved by the State Board of Education (SBE) as a measure of student achievement beginning in the 2022-23 school year. Authorizes LEAs, schools, and public charter schools to use the results from benchmark assessments or a universal screener approved by SBE to measure student performance and growth and for the benchmark assessment results to be used to generate individual growth scores for LEAs and public charter schools beginning in the 2022-23 school year. Requires the results from benchmark assessments to be used in addition to scores generated through the Tennessee Value-Added Assessment System (TVAAS).

FISCAL IMPACT:

Increase State Expenditures - \$178,000/FY22-23 and Subsequent Years

Increase Local Expenditures - Exceeds \$525,000/FY22-23 and Subsequent Years

Other Fiscal Impact – Expenditures related to the proposed changes do not exceed the annual maximum liabilities in the contracts with NCS Pearson, Inc. or SAS Institute. Therefore, it is reasonably estimated that DOE's budget will have sufficient funds and will not require an additional budget appropriation to cover the additional expenditures.

Authorizing the use of additional benchmark assessments does not comply with federal requirements or the approved Every Student Succeeds Act (ESSA) state plan model. This may jeopardize up to \$436,937,702 in annual federal ESSA state grant funds.

Assumptions:

- The proposed legislation requires the Department of Education (DOE) to provide an option for schools to use the state standardized assessment suite as achievement scores or additional benchmark assessment suites to generate student performance and growth scores.
- Currently, the state's assessment administration vendor converts state assessment results into achievement and growth scores using internal data analysts and contracts with a vendor to determine student, teacher, school, and district growth scores.

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- DOE will require two additional Education Consultant 2 positions to support program management, internal data collection, and review capacity beginning in FY22-23.
- There will be a recurring increase in state expenditures of \$177,964 [(\$70,368 salary + \$18,614 benefits) x 2 Education Consultant 2 positions] in FY22-23 subsequent years.
- The proposed legislation will require one-time adjustments to the SAS contract and data collection infrastructure to accommodate: additional file production and calculations based on new assessments; development costs related to researching new assessments and reporting features; and additional roster verification procedures for new assessments.
- Any changes authorized under this legislation to the SAS contract and data collection infrastructure currently within DOE's budgeted plan within the NCS Pearson, Inc. contract and it is reasonably estimated that DOE will have funds within their budget to meet the annual maximum liability allocation in FY22-23 and FY23-24.
- The total increase in state expenditures is estimated to be \$177,964 in FY22-23 and subsequent years.
- LEAs and public charter schools can choose to continue to use available state assessments or use off-the-shelf benchmark or screening assessments; using off-the-shelf benchmark or screening assessments may increase the cost for administration and data submission.
- It is unknown how many LEAs and public charter schools may choose to administer new assessments or a universal screener. Local capacity to implement and administer new assessments will vary across districts and will depend on the extent to which schools have already invested in benchmark assessments, the existing technology infrastructure, and staffing availability to absorb an additional workload.
- It is assumed that only LEAs and public charter schools that have sufficient resources and fiscal capacity to administer new screening assessments or a universal screener will elect to do so. Schools that would require significant additional resources and expenditures in order to administer new screening assessments or a universal screener will continue to use the state's standardized assessment suites.
- It is estimated that five percent, or seven LEAs (141 x .05), will choose to administer new benchmark assessments or a universal screener; on average, this will increase expenditures by \$75,000 per district annually.
- The total permissive increase in local expenditures is estimated to exceed \$525,000 (7 x \$75,000) in FY22-23 and subsequent years.
- Benchmark assessments vary in what they measure and the information they provide to teachers regarding instruction. Schools administer benchmark assessments at different times and within different testing environments.
- According to DOE requiring the addition of new benchmark assessments in school and district accountability models would place the state's framework out-of-compliance with federal requirements for technically valid, reliable, and aligned assessments and the approved Every Student Succeeds Act (ESSA) state plan model. This may jeopardize up to \$436,937,702 in annual federal ESSA state grant funds.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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